

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4697**

**AN ORDINANCE VACATING A PORTION OF ALLEY RIGHT-OF-WAY LOCATED  
BETWEEN ELM AND KENNEDY AVENUES**

**LOCATED IN THE COLORADO MESA UNIVERSITY AREA**

**RECITALS:**

Colorado Mesa University has requested to vacate a portion of alley right-of-way located between Elm and Kennedy Avenue's in order to enable the continued westward expansion efforts planned for the campus, specifically in the future to develop new residence halls, classroom buildings, parking lots and campus improvements.

The properties abutting the section of alley right-of-way for which vacation is sought are either owned by Colorado Mesa University or under contract with Colorado Mesa University. City staff does not expect that the proposed alley vacation would impede traffic, pedestrian movement or access to private property. As a condition of approval, CMU will need to meet all Grand Junction Fire Department requirements for construction of the engineering building and may be required to construct access around the site compliant with the 2012 International Fire Code. CMU will also be required to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue. This condition is required as the remaining properties will have no "legal access" to the rear of their properties once the alley is vacated.

Presently, this alley between Elm and Kennedy Avenue's does not contain any City public utilities (water, sewer, storm sewer, etc.) therefore, there is no need to retain a Utility Easement as part of the vacation process. Any existing electric utilities located within the alley will be moved and relocated by Xcel Energy as part of the construction of the new engineering building and appropriate easements to Xcel Energy will be dedicated at that time, if necessary.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code. Applicant is also required to meet all Grand Junction Fire Department requirements.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the alley vacation be approved and the construction of a minimum of a 20' wide north/south circulation drives and that the applicant meet all Grand Junction Fire Department requirements.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following described dedicated rights-of-way is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. Applicant shall dedicate and record a "Private Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue.
3. Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary in order to continue to provide utility services to the current residential properties within this block.
4. Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.

Dedicated alley right-of-way to be vacated:

A portion of a fifteen foot (15.00') wide Alley Right-of-Way as dedicated on the Plat of Amended Kennedy Subdivision at reception #670067 of the Mesa County Records situated in the SE1/4 of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; being more particularly described as follows:

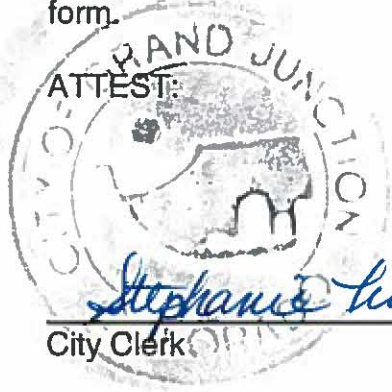
All of a fifteen foot (15.00') wide Alley of said Amended Kennedy Subdivision adjoining the North lot lines of Lots 4,5, 6 and 7 (four, five, six and seven) beginning at the Northwest corner of Lot 4 (four) of said Amended Kennedy Subdivision and continuing East to the Northeast corner of Lot 7 (seven) of said Amended Kennedy Subdivision.

Said description contains an area of 0.101 acres more or less, as described herein.

Introduced for first reading on this 20<sup>th</sup> day of April, 2016 and ordered published in pamphlet form.

PASSED and ADOPTED this 4<sup>th</sup> day of May, 2016 and ordered published in pamphlet form.

ATTEST:

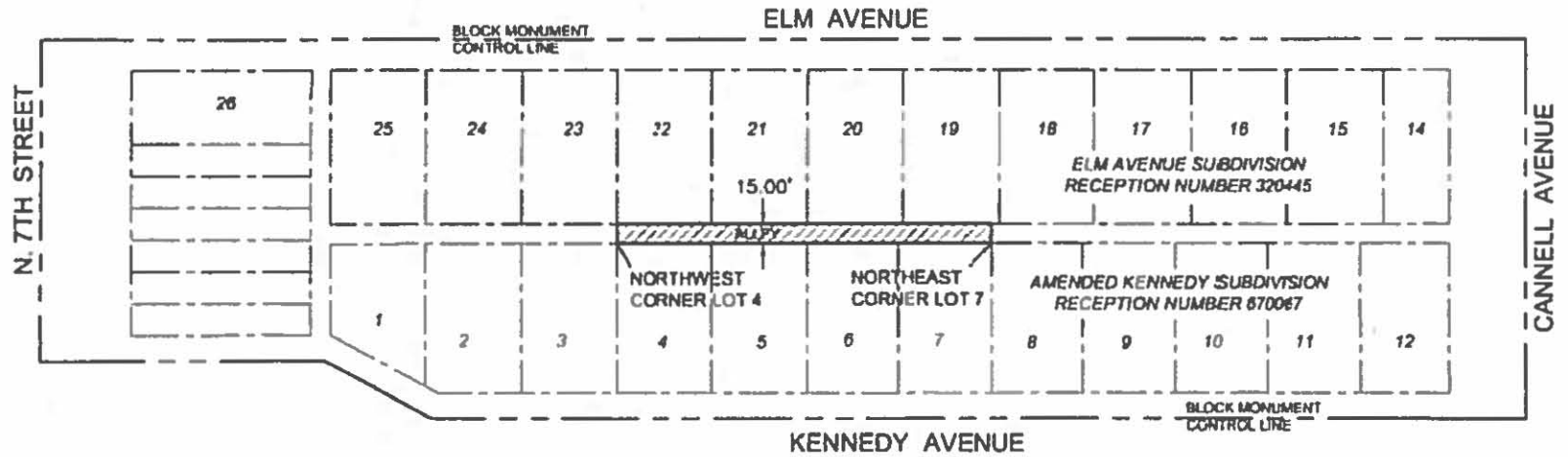


*Stephanie Lee*

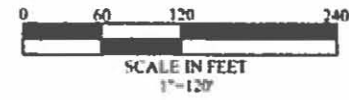
City Clerk

*Stephanie Lee*  
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President of City Council

**EXHIBIT "A"**  
**SOUTHEAST 1/4 OF SECTION 11,**  
**TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,,**  
**IN THE CITY OF GRAND JUNCTION,**  
**COUNTY OF MESA, STATE OF COLORADO**



 Subject area.



- \*This Exhibit is not intended to be used for establishing or verifying property boundary lines.
- \*Title information shown is from Mesa County Clerk and Recorders Office.
- \*Linear units are in U.S. Survey Feet.



CHRISTOPHER C. RANSLER  
 CO PLS 38089




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I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4697 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 20<sup>th</sup> day of April, 2016 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 4<sup>th</sup> day of May, 2016, at which Ordinance No. 4697 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6<sup>th</sup> day of May, 2016.

  
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Stephanie Tuin, MMC  
City Clerk

Published: April 22, 2016  
Published: May 6, 2016  
Effective: June 5, 2016

